

Gina M. Perini
Chief Administrative Officer
General Counsel

June 28, 2013

VIA ELECTRONIC MAIL

Ms. Julie Veach
Chief, Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, D.C., 20554

**Re: Toll-free Number Exhaust Forecasting/ 844 Numbering Plan Area Revised
Opening Date Recommendation, CC Docket No. 95-155**

Dear Ms. Veach:

In several sets of ex parte correspondence in the past year, SMS/800, Inc. (“Company”) has kept the Wireline Competition Bureau (“Bureau”) abreast of events regarding the reservation status of existing toll-free number resources, trend analyses and any anomalies in weekly average reservations. Further, the Company has provided its recommendations for both a date to open a new toll-free code, i.e., the 844 numbering plan area (“NPA”), in order to meet industry demand as well as an allocation method once the Commission releases an order setting that date.¹

As you are aware, the Company continuously monitors toll-free number reservation activity. Every week, the Company reviews system generated reports that indicate the number reservation trends. In calendar year 2013, the Company has noted an anomalous marked increase in not only the number of toll-free reservations but also the rate at which

¹ <http://apps.fcc.gov/ecfs/document/view?id=7021980834>;
<http://apps.fcc.gov/ecfs/document/view?id=7022036467>;
<http://apps.fcc.gov/ecfs/document/view?id=7022039164>;
<http://apps.fcc.gov/ecfs/document/view?id=7022049296>;
<http://apps.fcc.gov/ecfs/document/view?id=7022137696>;
<http://apps.fcc.gov/ecfs/document/view?id=7022310301>

those numbers are put into service. Through June 8, 2013, the weekly average growth rate of 99,092 toll-free numbers in reserved status is double that of the same period in 2012. This has resulted in a substantial reduction in the spare number pool. In fact, with this recent activity, there are 3.501 million toll-free numbers available or less than 10% remaining in the existing supply. Since this level was not anticipated until the first calendar quarter of next year, we are notifying the Bureau in order that this may be addressed expeditiously.

Accordingly, the Company requests that its previous recommendation of the 844 NPA code opening be accelerated to December 7, 2013, instead of the previous date of February 15, 2014. The Company advises this with the knowledge that the North America Numbering Plan Administrator (“NANPA”) has alerted the industry to be prepared to translate and switch calls to the 844 NPA on November 2, 2013.

Further, as more fully described in our comments to the Commission’s Public Notice soliciting comments on the Allocation Method for 844 Toll Free Code Opening in this docket,² the Company reiterates that its allocation plan, which recommends distribution of a limited number of toll-free numbers per Responsible Organization (“Resp Org”) identification per day, is the only allocation method the SMS/800 platform is capable of implementing at this time. Any change to the current allocation method, including but not limited to determining consolidation of Resp Org identifications across affiliates, would require what we expect to be overly burdensome financial investment and operational delay, as well as the need to make changes to the tariff -- all of which would not be in place for the newly recommended 844 code opening date.³ We will, however, continue to monitor requests for Resp Org identifications to ensure that they comply with the terms of the tariff.

The Company will work with all Resp Orgs and NANPA in order that the industry can prepare for an accelerated schedule for implementation of the 844 NPA opening. Further, the Company will provide a reminder notice to its customers of the Commission’s rules against warehousing and hoarding of toll-free numbers. The Company also remains willing to assist the Commission should it desire to further

² <http://apps.fcc.gov/ecfs/document/view?id=7022310301>

³ The Company notes the comments of the 844 Release Coalition linked here: <http://apps.fcc.gov/ecfs/document/view?id=7022310308>. While we respect the position of the Coalition, the Company, in its own right, is not able to limit reservations per the recommendations for this 844 code opening based on the reasoning cited in this letter.

investigate this recent reservation anomaly or further discuss the revised recommendations in this notice.

Sincerely,



Gina Perini
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SMS/800, Inc.

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